

Introduced by Senator Liu

February 11, 2016

An act to add Section 54237.9 to the Government Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1018, as introduced, Liu. California Environmental Quality Act: State Route 710 North Study.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a public review period for a draft EIR of a project and requires the lead agency to consider the comments submitted during the review period and to respond to the comments.

This bill would deem a certain cost-benefit analysis prepared for the State Route 710 North Study to be a technical study to be included in the comprehensive analysis of the alternatives described in the draft EIR for the State Route 710 North Study and would require the lead agency to consider and respond, in writing, to any comments regarding the analysis submitted during the public review period.

This bill would make legislative findings and declarations as to the necessity of a special statute for State Route 710 North Study.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 54237.9 is added to the Government
2 Code, to read:

3 54237.9. Notwithstanding any other law, for purposes of the
4 California Environmental Quality Act (Division 13 (commencing
5 with Section 21000) of the Public Resources Code), the cost-benefit
6 analysis prepared for the State Route 710 North Study in response
7 to a motion approved by the Board of Directors of the Los Angeles
8 County Metropolitan Transportation Authority at the June 2010
9 meeting is deemed to be a technical study to be included in the
10 comprehensive analysis of the alternatives described in the draft
11 environmental impact report/environmental impact statement for
12 the project, issued in March, 2015. The lead agency, pursuant to
13 Section 21091 of the Public Resources Code, shall consider and
14 respond, in writing, to comments regarding the cost-benefits
15 analysis submitted during the public comment period for the draft
16 environmental impact report/environmental impact statement. The
17 comments on the analysis and the lead agency's responses are
18 deemed to be a part of the record of proceedings for purposes of
19 the California Environmental Quality Act.

20 SEC. 2. The Legislature finds and declares that a special law
21 is necessary and that a general law cannot be made applicable
22 within the meaning of Section 16 of Article IV of the California
23 Constitution because of the unique circumstances regarding the
24 State Route 710 North Study.

25 SEC. 3. This act is an urgency statute necessary for the
26 immediate preservation of the public peace, health, or safety within
27 the meaning of Article IV of the Constitution and shall go into
28 immediate effect. The facts constituting the necessity are:

29 To ensure that comments on the cost-benefit analysis prepared
30 for the State Route 710 North Study in response to a motion
31 approved by the Board of Directors of the Los Angeles County

1 Metropolitan Transportation Authority at the June 2010 meeting
2 are adequately considered and responded to during the
3 environmental review process required pursuant to the California
4 Environmental Quality Act, it is necessary for this measure to take
5 effect immediately.

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